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CONSIDERATION OF EFFECTIVE MEASURES TO ENHANCE THE PROTECTION, SECURITY AND SAFETY OF DIPLOMATIC AND CONSULAR MISSIONS AND REPRESENTATIVES

Report of the Secretary-General

Addendum

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I. INTRODUCTION

1. A total of two additional cases of violations, as well as further information on cases previously reported, were submitted by States pursuant to paragraph 9 of General Assembly resolution 45/39 of 28 November 1990 during the period 15 August to 18 September 1992.

2. In connection with four cases that had been reported and in respect of which no information had been received within a reasonable period of time from the States directly concerned, the Secretary-General, in accordance with subparagraph 10 (c) of resolution 42/154 of 7 December 1987, addressed reminders to such States. As shown in the table contained in section II.C, no reports have been received in response to those reminders.

II. REPORTS RECEIVED FROM STATES PURSUANT TO PARAGRAPH 9 OF GENERAL ASSEMBLY RESOLUTION 45/39

A. Analytical summary of the reports

3. During this period, there were two reports of incidents involving acts of violence directed against diplomatic missions, property and representatives.

Violations of the protection of diplomatic and consular premises

4. A communication submitted by Venezuela reported an attack on the Venezuelan Embassy at Tripoli, followed by the pillaging of and the setting fire to the premises, in response to Venezuela's vote in favour of Security Council resolution 748 (1992).

5. Argentina reported an explosion at the Israeli Embassy at Buenos Aires, which virtually destroyed the premises and resulted in the death of and injury to several diplomatic personnel. Argentina also provided information concerning the ongoing investigation of this incident.

6. Information on previously reported cases was submitted by Norway and the United Kingdom of Great Britain and Northern Ireland. Norway provided information concerning the results of the investigation of an assault on the Turkish Embassy Chancery at Oslo, as reported by Turkey in its note dated 7 August 1992 (see A/47/355/Add.1), and the ongoing legal proceedings instituted against several individuals. The United Kingdom provided information concerning an attack on the Iranian Embassy in London, as reported by the Islamic Republic of Iran in its note dated 23 May 1992 (see A/47/325), with respect to the results of legal proceedings against individuals for this attack, measures taken to ensure the protection and safety of the premises following the attack and the offer to consider an ex gratia payment to the Government of the Islamic Republic of Iran for property damage caused by the incident.

B. Text of the reports

1. Note verbale from the Permanent Mission of Argentina to the United Nations addressed to the Secretary-General*

[Original: Spanish]

[8 September 1992]

1. On 17 March 1992, an explosion virtually destroyed the premises of the Israeli Embassy at Buenos Aires, killing several people, including diplomatic personnel, and injuring many others both inside the Embassy and in the surrounding area. It also caused considerable damage to buildings near the Embassy.

2. The Argentine Federal Police is pursuing its investigation of the incident, and the case is being handled by the Supreme Court of Justice, which, by virtue of the Constitution, has primary and sole competence in this matter.

3. The Government has also accepted the cooperation of specialized bodies in friendly countries, in its efforts to shed light on the incident.

2. Note verbale from the Permanent Mission of Norway to the United Nations addressed to the Secretary-General**

[Original: English]

[7 August 1992]

1. Following the assault on the Turkish Embassy Chancery at Oslo on 21 March 1992, 42 persons were apprehended and a large number of them were remanded in custody by the police.

2. After a brief investigation, the Director-General of Public Prosecution decided on 10 April to prefer an indictment before the Oslo City Court against 31 of the 42 persons involved in the assault. At the same time he expressed his opinion that there were grounds for the remand in custody to be continued

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* Transmitted to the Permanent Representative of Israel to the United Nations by a note verbale from the Secretary-General dated 14 September 1992 and circulated to all States under cover of a note verbale from the Secretary-General dated 23 September 1992.

** Transmitted to the Permanent Representative of Turkey to the United Nations by a note verbale from the Secretary-General dated 21 August 1992 and circulated to all States under cover of a note verbale from the Secretary-General dated 31 August 1992.

until the main hearing of the case. However, the persons indicted were released by the Oslo Court of Examination and Summary Jurisdiction. This decision was upheld by the Eidsivating High Court after an interlocutory appeal by the police. No further interlocutory appeal could be brought against the decision.

3. The 31 persons are all charged with publicly offending a foreign State in contravention of section 95 of the Norwegian Penal Code of 22 May 1902, and for vandalism or serious vandalism, in contravention of section 291 or 292 of the Penal Code.

4. The punishment inflicted for crimes under section 95 and for vandalism under section 291 is a fine or detention of up to one year. Serious vandalism under section 292 is punished with a fine or imprisonment of up to four years.

5. The main hearing of the case is to take place on 1 December 1992.

3. Note verbale from the Permanent Mission of Portugal to the United Nations addressed to the Secretary-General*

[Original: English]

[4 September 1992]

1. The Portuguese Police Department (PSP) guarantees personal security to the following diplomatic missions and their members:

(a) The Ambassador of the United States of America;

(b) The Ambassador of the United Kingdom of Great Britain and Northern Ireland;

(c) The Ambassador of Turkey;

(d) The Ambassador of Spain;

(e) The Ambassador of Israel.

2. PSP also guarantees continuous security to the following diplomatic missions:

(a) Embassy and residence of the Ambassador of the United States of America;

(b) United Kingdom of Great Britain and Northern Ireland Embassy;

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* Circulated to all States under cover of a note verbale from the Secretary-General dated 23 September 1992.

(c) Embassy and residence of the Ambassador of Spain;

(d) Embassy and residence of the Ambassador of France;

(e) Embassy and residence of the Ambassador of Israel;

(f) South Africa Embassy;

(g) Turkey Embassy;

(h) Iran Embassy.

3. PSP will also guarantee periodic security to the other diplomatic missions accredited at Lisbon. However, taking into consideration the international situation, in some cases and for limited periods of time, security will become continuous for some diplomatic missions. Personal security will also be provided.

4. Taking into account all the Police Department's duties, during the last 12 months there have been no serious breaches in the protection and safety of diplomatic and consular missions and their representatives, as well as of missions and representatives with diplomatic status to international intergovernmental organizations.

4. Note verbale from the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General*

[Original: English]

[21 August 1992]

1. On 5 April 1992, the Iranian Embassy in London telephoned the police to ask for their help to deal with 50 demonstrators attacking the Embassy at 27 Prince's Gate with stones and iron bars. Nearly all the Embassy windows on the ground floor and some on the first floor were broken and furniture behind them damaged. However, the demonstrators did not gain access to the building. The attack stopped shortly after the police arrived. The demonstrators were moved to the other side of the road, where they remained for some hours together with a substantial police presence.

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* Transmitted to the Permanent Representative of the Islamic Republic of Iran to the United Nations by a note verbale dated 3 September 1992 and curculated to all States under cover of a note verbale from the Secretary-General dated 17 September 1992.

2. Having been identified to the police by a member of the Iranian Embassy staff, two of the demonstrators were arrested. They were charged with causing criminal damage. Subsequently, charges were dropped, the witness having declined to confirm his earlier identification of them.

3. In accordance with article 22 (2) of the Vienna Convention on Diplomatic Relations, the Diplomatic Protection Group of the Metropolitan Police is responsible for the protection of diplomatic premises and the diplomatic community in London. The Group liaised with the Iranian Embassy on all aspects of security as a result of the attack. A static police post was positioned outside the Embassy imemdiately after the attack. This was later superseded by frequent (hourly) visits by the police, which continue.

4. The Foreign and Commonwealth Office has offered to consider an ex gratia payment to the Government of the Islamic Republic of Iran for damage to the property caused during this incident.

5. Letter from the Permanent Mission of Venezuela to the United Nations addressed to the Under-Secretary-General, the Legal Counsel*

[Original: Spanish]

[26 August 1992]

1. On 2 April 1992, at 10.30 a.m. Libyan time, the headquarters of the Venezuelan Embassy offices at Tripoli were attacked by a crowd of students, who had come to the site in two buses. The demonstrators shouted insults against Venezuela because of its vote in favour of Security Council resolution 748 (1992). Subsequently, the Embassy premises were set alight.

2. The incidents occurred in the presence of the four Libyan guards who were assigned to protect the Embassy but who did not intervene to prevent them. Nor was there action by any of the police of Tripoli, and the pillaging took place with total impunity.

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* Transmitted to the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations by a note verbale dated 14 September 1992 and circulated to all States under cover of a note verbale from the Secretary-General dated 23 September 1992.

C. Reminders addressed to States directly concerned

State concerned	Date of transmission of report to State concerned	Date of reminder to State concerned	Date of follow-up report, if any
Canada (to respond to a report from the Islamic Republic of Iran)	4 May 1992	4 September 1992	-
United States (to respond to a report from the Islamic Republic of Iran)	4 May 1992	4 September 1992	-
Iraq (to respond to a report from the Islamic Republic of Iran)	12 May 1992	14 September 1992	-
Switzerland (to respond to a report from the Islamic Republic of Iran)	12 May 1992	14 September 1992	-

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